

South Dakota 9-1-1 Coordination Board

Meeting Minutes for October 13, 2011
Cedar Shore Resort, Oacoma, South Dakota
South Dakota Department of Public Safety

Board members present: Barthel, Carmon, Falken, Haines, Jaeger, Rufledt, Sawvell, Sebert, Turbak, Turman

Board members absent: Serr

Staff present: Michael Houdyshell (9-1-1 Coordinator, DPS Attorney)

Others present: Greg Dean, Edie Jenniges, Tom Sandvick, Elton Blemaster, Erik Nelson, Casey Krogman, Rolf Kraft, Andy Timmins, Greg Brooks, Paul Schueth, Julie Wegener, Marleen Huckabay, Dean Putnam, Daren Ketcham, Jennifer Disburg, Matt Tooley

I. Call to Order & Roll Call

Meeting called to order at 10:30 AM by Chairperson Rufledt. Roll was taken and a quorum was present.

II. Approval of Agenda

Motion to approve agenda.

Moved by: Barthel Second by: Haines

Discussion: None

Conclusion: Motion carried unanimously.

III. Approval of August 29, 2011 Meeting Minutes

Motion to approve meeting minutes.

Moved by: Sebert Second by: Falken

Discussion: None

Conclusion: Motion carried unanimously.

IV. Public Comment

Rolf Kraft explained to the Board how Bennett County needs additional surcharge revenue to offset the costs of the 9-1-1 service. Kraft stated that the Board needs to educate the legislature about the issue and take a position on the issue.

Casey Krogman echoed Kraft's comments and encouraged the Board to support a surcharge increase.

Daren Ketcham asked the Board to consider conducting audits of service providers to determine if proper surcharge remittance was occurring. According to Ketcham, one provider in particular has triggered concerns in Minnehaha County, but he suggested a statewide audit requested by the Board may have better results. Ketcham also encouraged the Board to support an increase and to consider incentives to encourage and promote efficiency in the 9-1-1 system.

V. Election of Board Chair and Vice Chair

Chairman Rufledt opened the floor for nominations for the positions of Board Chair and Vice Chair. The Nomination Subcommittee nominated Ted Rufledt for Chair and Marlene Haines for Vice Chair.

Motion to nominate Rufledt as Chair and Haines as Vice Chair.

Moved by: Barthel Second by: Turbak

Discussion: Barthel commented that both Rufledt and Haines had served the Board admirably during the past, had the desire to put the required effort into the positions, should continue to lead the Board going forward.

Conclusion: Motion carried unanimously.

VI. Discussion on point-of-sale collection legislation

Houdyshell gave an overview of the draft legislation for point-of-sale collection of the 9-1-1 surcharge on prepaid wireless service. Houdyshell explained the various provisions of the draft bill and explained it was going to be submitted as a Department of Public Safety agency bill.

Turbak asked if the bill as drafted had any teeth and whether a retailer could simply refuse to collect the surcharge and rely on the immunity provisions of current state law. Houdyshell commented that he did not believe that would be an issue, as the state should

have the ability to compel retailers to comply with the proposed legislation if it should pass.

VII. Discussion on state 9-1-1 plan draft outline

Houdyshell indicated he had assigned various topics from the initial draft outline to the subcommittees to begin working on and that a more formal outline would be developed after the subcommittees present their work to the full Board.

VIII. Discussion on potential 9-1-1 surcharge legislation

Rufledt explained to the Board the Governor's position on a potential increase. The Governor is generally in support of an increase if it is accompanied by greater efficiencies in the 9-1-1 system. Rufledt then asked the Board members to comment on the Governor's position.

After each member voiced their thoughts on the surcharge increase, it was determined that the time had come for the Board to take a position on the issue and make recommendations to the Governor and legislature. The specific recommendations were as follows:

- (1) Increase the maximum allowable monthly 9-1-1 surcharge;
- (2) Implement an index system that makes periodic adjustments to the maximum allowable monthly surcharge rate;
- (3) Allow the Board to build upon the improvements it has made and finish the work it has started; and
- (4) Provide more education and information to local governments.

Motion to send a letter of Board Recommendations to the Governor and legislature.

Moved by: Second by:

Discussion: None

Motion carried unanimously.

IX. Discussion on 9-1-1 Fund balances

Houdyshell presented a document that listed the year end 9-1-1 Fund balances for each county. Rufledt asked the Board if it felt some guidance or rules needed to be established regarding fund balances. Turbak questioned whether enough information was available to determine whether the balances were unnecessarily high and that no decision should be made until more information was presented. It was agreed that the Funding Subcommittee would study the issue in more detail and present findings to the Board at the appropriate time.

X. Subcommittee Reports

i. Technical Subcommittee

Carmon gave the Board and public attendees an overview of the subcommittee's September meeting in Wall, SD. The subcommittee has started to develop a Next Generation 9-1-1 plan for the state and will continue to refine the concept in the coming months.

ii. Operations Subcommittee

Haines had no report from the subcommittee.

iii. Legislative Subcommittee

Carmon reported that the subcommittee had conducted a teleconference with resulted in the draft point-of-sale legislation discussion under Agenda item VI.

iv. Funding Subcommittee

Turbak reported that the subcommittee would be meeting on October 21, 2011 in Mitchell to discuss funding issues related to the State 9-1-1 Plan.

XI. Coordinator's Report

i. Administrative rules promulgation update

Houdyshell reported that the rules were ready to proceed into the rulemaking process. A date for the public hearing will need to be selected before proceeding.

ii. Coordination Fund condition statement

Houdyshell described the most-recent condition statement to the Board.

iii. 9-1-1 Coordination Board grant program update

Houdyshell indicated there had been some renewed interest in the grant program and that the Board should consider a reallocation of the E911 grant funds as many sub-grantees have been unable to utilize the funds due to the match requirement.

XII. State 9-1-1 Coordinator position

Houdyshell told the Board he had resigned his position with the Department of Public Safety to accept a new position in state government. Turman stated the department would be posting the position soon and would likely have a select number of Board members participate in the interview process.

XIII. Other business

None

XIV. Adjourn

Motion to Adjourn

Moved by: Jaeger Second by: Sebert

Motion carried unanimously

Meeting adjourned at 1:28 PM